

## Message Text

UNCLASSIFIED

PAGE 01 BERN 01049 101359Z

43

ACTION SCSE-00

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 L-02 /016 W

----- 106365

R 101320Z MAR 75

FM AMEMBASSY BERN

TO SECSTATE WASHDC 377

UNCLAS BERN 1049

E.O. 11652: N/A

TAGS: CGEN, SZ (U.S. V. KOSCOT INTERPLANETARY, INC. ET AL.)

SUBJECT: LETTERS ROGATORY IN ABOVE CASE

REF: STATE 046059

FDJP PROVIDED EMBASSY TODAY WITH "PROVISIONAL RESPONSE" TO LETTERS ROGATORY. "RESPONSE" CONSISTS OF TESTIMONY OF FORMER DIRECTORS OF KOSCOT A.G. IN WHICH THEY STATE THAT THEY HAVE NO, RPT NO, OBJECTION TO TRANSITBANK PROVIDING TO U.S. COURT INFO RE KOSCOT A.G.'S ACCOUNTS DURING THE TIME EACH WAS DIRECTOR OF KOSCOT A.G. FRANZ MUHEIM WAS DIRECTOR OF KOSCOT A. G. FROM ITS FOUNDING, JAN. 22, 1971 UNTIL JAN. 18, 1972. PETER SCHROFF WAS DIRECTOR FROM JUNE 1, 1972 UNTIL NOVEMBER (NO DATE) 1974.

IN VIEW OF TRANSITBANK'S PREVIOUS REFUSAL TO SUBMIT INFO IN THIS CASE THE FDJP TOOK THE UNUSUAL STEP OF OBTAINING THE CONSENT OF MESSRS. MUHEIM AND SCHROFF TO SUBMISSION BY BANK OF INFO RE KOSCOT A.G. OBTAINING THIS CONSENT (ALTHOUGH IT DID DELAY THE CASE) WOULD APPEAR TO MAKE IT MORE PROBABLY THAT TRANSITBANK WILL RESPOND FAVORABLY TO LETTERS ROGATORY, AT LEAST IN SO FAR AS KOSCOT A.G. IS CONCERNED.

THE ENTIRE DOSSIER, INCLUDING MUHEIM AND SCHROFF'S TESTIMONY, WAS RETURNED BY THE FDJP TO THE ZURICH DISTRICT ATTORNEY'S OFFICE ON MARCH 3, 1975 FOR FINAL ACTION.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 BERN 01049 101359Z

THE "PROVISIONAL RESPONSE" (WHICH CONSISTS OF PHOTOCOPIES

OF THE TEXT OF THE GERMAN LANGUAGE TESTIMONY) IS  
BEING SENT TO BRUCE FLATIN, EUR/CE, FOR DISTRIBUTION.  
DAVIS

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 10 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975BERN01049  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750083-0463  
**From:** BERN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750368/aaaaciup.tel  
**Line Count:** 64  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION SCSE  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 046059  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAY 2003 by BrownAM>; APPROVED <26 FEB 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LETTERS ROGATORY IN ABOVE CASE  
**TAGS:** CGEN, SZ  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006